

ASSIGNED

AMENDED
APPLICATION FOR PERMIT

Serial No. 2037

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office MAY -6 1911
Returned to applicant for correction MAY -9 1911
Corrected application filed MAY 20 1911

The undersigned WESTERN PACIFIC RAILWAY COMPANY, by J.H. Knowles, Division Engineer, Name of applicant.
of Elko, County of Elko,
State of Nevada, hereby make s application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation give date and place of incorporation.) Incorporated under the laws of the State of California, 1903.

1. The source of the proposed appropriation is Cottonwood Springs numbers 1 and 2, situate in lot 8, in the SE 1/4 of Sec 9, T. 36 N.R. 70 E., Mount Diablo Base and Meridian.
Name of stream, lake, or other source.
2. The amount of water applied for is one and one-half second-feet.
One second-foot equals 40 miners' inches.
3. The water to be used for transportation and railroad purposes.
Irrigation, power, mining, manufacturing, domestic, or other use.
4. The water is to be diverted from its source at the following point: At a point in lot 8 in the SE 1/4 of Sec. 9, T. 36 N., R. 70 E., Mount Diablo Base and Meridian, which point bears north 8° 22' 11" east a distance of 12,745.13 feet from the south 1/4 corner of Sec. 21, T. 36 N.R. 70 E., Mount Diablo Base and Meridian.
Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land it should be so stated.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

- (a) Number of acres to be irrigated is _____
- (b) Description of land to be irrigated _____
Describe by legal subdivision, or if on unsurveyed land it should be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.

- (c) Irrigation will begin about _____ and end about _____
Month.
_____, of each year.
Month.

IF WATER IS TO BE USED FOR POWER, MINING, TRANSPORTATION, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

- (d) Power to be developed is _____ horsepower.
- (e) Works to be located at Wendover, Utah. (See remarks below)
Give 40-acre subdivision on which works will be located, or locate by course and distance to a section corner.

- (f) Point of return of water to stream none
Describe in same manner as point of diversion.

- (g) Remarks The said springs are to be cleaned out and the water developed and conducted from said springs in a general south-easterly direction by means of a six inch ^{wood} stave pipe 4,500 feet in length, having a fall of 718 feet per mile, and connected with a proposed pipe line from Cedar Spring number 1 at a point in the NW 1/4 of the SW 1/4 of Sec. 33, T. 4 N.,

DESCRIPTION OF PROPOSED WORKS

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water is to be stored in reservoirs it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

5. Estimated cost of works \$3,000.00
6. Estimated time required to construct works Ninety days
7. Remarks

For use of applicant.

WESTERN PACIFIC RAILWAY COMPANY, Applicant.

By J. H. Knowles,
Division Engineer.

Compared *J. H. Knowles*

This sheet inspected _____,
Engineer.

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

~~This permit is issued with the understanding that the State Engineer will grant a subsequent right for use within the State of Nevada upon an application therefor, to any party applying for such right, dependent, of course, upon compliance with the law of appropriation of water, in the State of Nevada.~~

The right herein granted is such that the Applicant must allow sufficient water to pass the intake of the pipe to water the stock ranging in that section, not exceeding however, one fortieth cubic foot per second.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed one & 1/2 cubic feet per second.

Actual construction work shall begin on or before November 26th, 1912.

Proof of commencement of work shall be filed before December 26th, 1912.

Work must be prosecuted with reasonable diligence and be completed on or before February, 26th, 1913.

Application of water to beneficial use shall be made on or before March 26th, 1913.

Proof of the application of water to beneficial use must be filed with the State Engineer on or before April 26th, 1913.

~~Certificate cannot issue as use is outside of State.~~

WITNESS MY HAND AND SEAL this 26th day of October, 1912.

Map filed May-10-1911

Proof of labor filed DEC 23 1912

Map filed JAN 10 1914

Proof of beneficial use filed JAN 10 1914

W. H. Kearney
State Engineer.
Cert. 7785 Issued 3-24-12
Recorded 3-17-72 BK 160 Pg. 443

Remarks Continued:

R. 19 W., Salt Lake Base and Meridian, and conducted thence to the pipe line belonging to the said Western Pacific Railway Company, which conveys the waters of Munsey Springs, situate in the SE 1/4 of Sec. 33, T. 4 N., R. 19 W., Salt Lake Base and Meridian, to the town of Wendover, Utah, ^{Wendover, Utah,} thence through said Munsey Springs pipe line to the town of Wendover, Utah, to be there used for transportation and railroad purposes.

This application is in the nature of an application to change the point of diversion and use of the waters herein applied for, and to be allowed to appropriate any of the waters ~~herein applied for~~ ^{of said springs} which is not now covered by the vested rights of the applicant in and to the waters of said springs; said applicant claiming the vested right in and to the waters of said springs because it and its grantor and predecessors in interest have for many years last past applied said waters to a beneficial use, to wit:

Irrigation on the W 1/2 of the NE 1/4 and the E 1/2 of the NW 1/4 of Sec. 12, T. 3 N., R. 19 W., Salt Lake Base and Meridian.

RTM

